

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

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WRIT PETITION No.34138 of 1998

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Dated: 28.03.2007

Between:

Jakku Balamma W/o Balaiah

..... PETITIONER

AND

The District Collector, Warangal
and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

-
WRIT PETITION No.34138 of 1998

ORDER:

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Petitioner claims to be the owner and possessor of the land admeasuring Ac.1.16 gts in Sy.No.490 of Ankur village, Cheryal Revenue Mandal, Warangal District. While so, the respondent authorities, without initiating any proceedings under the Land Acquisition Act, 1894 (for short "the Act"), proposed to develop the existing road and also marked the road for leveling it, covering major portion of the petitioner's land. Questioning the same, this writ petition is filed seeking a declaration that the action of the respondents in acquiring the land of the petitioner without initiating proceedings under the Act as arbitrary and illegal and for a consequential direction to them to follow due process of law.

A counter is filed on behalf of the respondents stating that the road is being laid in the public interest, and land acquisition proposals were

also sent to the revenue authorities for assessment vide letter dated 11.01.1999, and the compensation proposals from the revenue authorities is awaited. Hence, it is concluded that compensation for the land of the petitioner, which is proposed to be acquired, will be paid after receipt of the assessment of land value from the revenue authorities by following the procedure under the Act.

Heard both the counsel.

In the light of the averment in the counter that the land of the petitioner would be acquired after following due process of law, I deem it appropriate to dispose of this writ petition directing the respondents to acquire the land of the petitioner only in accordance with law.

Subject to the above direction, the writ petition is disposed of. There shall be no order as to costs.

28.03.2007

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